

## Message Text

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ORIGIN CU-03

INFO OCT-01 EUR-12 ISO-00 NSF-01 L-03 /020 R

DRAFTED BY CU/WE:RSTRAUS:RR

APPROVED BY CU/WE:RSTRAUS

EUR/WE:MDURKEE

NSF:MHELMAN (PHONE)

L/ :TRAMSEY

EUR/P:MJEREBEK

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R 070645Z AUG 76

FM SECSTATE WASHDC

TO AMEMBASSY MADRID

C O N F I D E N T I A L STATE 196764

E.O. 11652: GDS

TAGS: TGEN, SP

SUBJECT: REQUEST FOR NSF RECORDS

REF: (A) STATE 132443; (B) MADRID 4415; (C) STATE 187320

1. DEPT HAD HOPED AND ASSUMED THAT THE REPRESENTATIONS YOU MADE TO MFA AS REPORTED REFTel (B) WOULD END MES OFFICIAL LUIS CAMBLOR'S CONTINUED EFFORT TO USE FREEDOM OF INFORMATION ACT TO OBTAIN DOCUMENTS ON NMA PROJECTS FROM THE NSF. AS YOU KNOW FROM OUR MOST RECENT TELEGRAM (REF C), ADDITIONAL LETTERS FROM HIM WERE RECEIVED DATED JULY 6 AND 12. THREE ADDITIONAL LETTERS DATED JULY 28 AND 29 HAVE NOW BEEN DIRECTED TO NSF. TWO OF THEM ALLEGE THAT THE NSF HAD MADE AN ADVERSE DISCLOSURE DETERMINATION UNDER THE FOIA, IMPLYING THAT THE FAILURE OF THE NSF TO RESPOND IS WILLFUL AND THAT CONTINUED FAILURE TO RESPOND COULD PROVIDE GROUNDS FOR COURT ACTION UNDER THE FOIA.

2. YOU ARE REQUESTED TO EXPRESS ONCE MORE AT AN APPROPRIATELY HIGH LEVEL, THE CONCERN OF THE DEPT AT WHAT APPEARS  
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TO BE IMPROPER ACTIONS BY A SPANISH OFFICIAL AND TO RE-

QUEST MFA TO TAKE SUCH STEPS AS IT DEEMS APPROPRIATE TO RECTIFY THIS SITUATION. (FYI: HOPE CAMBLOR WILL BE ORDERED

TO WITHDRAW HIS MOST RECENT LETTERS.) YOU SHOULD POINT OUT THAT THE IMPLEMENTATION OF THE AGREEMENT OF FRIENDSHIP AND COOPERATION OF 1977 HAS BEEN DISCUSSED AND DECIDED THROUGH NORMAL DIPLOMATIC CONTACTS BETWEEN THE TWO GOVERNMENTS AND THAT ANY QUESTIONS WHICH THE GOS MAY HAVE CONCERNING THIS IMPLEMENTATION SHOULD BE TRANSMITTED THROUGH THE SAME CHANNELS. ANY OTHER PROCEDURE WILL ONLY DELAY, COMPLICATE, AND PERHAPS UNDERMINE THE ON-GOING MUTUAL EFFORTS TO STRENGTHEN BILATERAL COOPERATION WHICH BOTH GOVERNMENTS SEEK UNDER THE NEW TREATY. YOU MAY ALSO REMIND MFA THAT NSF HAS FURNISHED ALL RELEVANT DOCUMENTS TO EMBASSY FOR TRANSMISSION TO MFA AS THE APPROPRIATE GOS AGENCY.

3. NSF IS ALSO IN RECEIPT OF A FOIA REQUEST FROM THE DIRECTOR GENERAL OF ADARO TO WHICH NSF INTENDS TO RESPOND IN THE SAME WAY THAT IT HAS PREVIOUSLY RESPONDED TO CAM6LOR'S REQUESTS, I.E., THE DOCUMENTS WILL BE FURNISHED AND MADE AVAILABLE THROUGH THE MINISTRY OF FOREIGN AFFAIRS. YOU SHOULD ALSO TRY TO SEEK TO TURN OFF THIS TYPE OF REQUEST FROM A SPANISH GOVERNMENT AGENCY.

4. COPIES OF MOST RECENT CORRESPONDENCE WILL BE FORWARDED BY POUCH FOR THE ATTENTION OF THE DCM. HABIB

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